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**MAY 19 2004**

In re Application of  
Pan et al.  
Application No. 10/610,967  
Filed: June 30, 2003  
Attorney Docket No. 23340-08024

**OFFICE OF PETITIONS**

**ON PETITION**

This is a decision on the petition filed February 2, 2004, requesting that Shaoh X. Pan (Pan) be excluded from access for the above-identified application.

The petition is dismissed

Petitioner, Dongmin Chen (VP of Engineering and CFR Miradia Corporation), asserts that Miradia Corporation (Miradia) is the assignee of the entire interest of the named inventors and seeks to exclude Pan from accessing this application and all later applications claiming priority therefrom. Petitioner includes a copy of a document showing the record assignee at the USPTO, XHP Microsystems has changed its name, as recorded in Delaware state records, to Miradia Inc.

As recognized by petitioner, pursuant to Manual of Patent Examining Procedure, Section 106, the USPTO will consider a request of the assignee to exclude an inventor who has assigned his or her interest in the patent application. The above-identified application will be published as a patent application on December 2, 2004. It is not practical to allow the public to access or to obtain a copy the application, but to exclude the inventor. For an application that is published, it is not practical to exclude a named inventor from access; as he would still be permitted to obtain a copy of the file history, notwithstanding the pre grant publication of the entire specification itself See 37 CFR 1.14.

Any inquiries about this communication should be addressed to the undersigned at (703) 305-1820.

*Brian Hearn*

Brian Hearn  
Petitions Examiner  
Office of Petitions  
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for Patent Examination Policy